

DELTA CHARTER TOWNSHIP
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CHARTER TOWNSHIP OF DELTA SIGN ORDINANCE
ORDINANCE NO. __

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ORDINANCE NO. 98.

AN ORDINANCE OF THE CHARTER TOWNSHIP OF DELTA, STATE OF MICHIGAN, PROVIDING THAT THE CODE OF ORDINANCES, CHARTER TOWNSHIP OF DELTA, STATE OF MICHIGAN, BE AMENDED BY REVISING CHAPTER 15 KNOWN AS THE CHARTER TOWNSHIP OF DELTA SIGN ORDINANCE, AS AMENDED, BY REVOKING THE EXISTING PROVISIONS OF CHAPTER 15 IN THEIR ENTIRETY, AND ENACTING A NEW CHAPTER 15.

THE CHARTER TOWNSHIP OF DELTA ORDAINS:

1. Chapter 15 of the Code of Ordinances is amended to read in its entirety as follows:

ARTICLE I. GENERAL PROVISIONS

Sec. 15-1. Short title.

This chapter shall be known as the "Charter Township of Delta Sign Ordinance."

Sec. 15-2. Purpose.

This article is intended to apply reasonable regulations concerning the use of signs and outdoor advertising structures, in order to achieve the following objectives:

1. Prevent excessive visual clutter and degradation of the visual environment in the Township, which is likely to occur in the absence of reasonable regulations regarding the use of signs.
2. Provide adequate opportunity for various types of land uses to identify their location, the nature of the use and manage the use of signs as a means of communication to the general public.
3. To ensure that the size, design, type and placement of signs does not conflict with safe and efficient movement of vehicular traffic in the Township.
4. To ensure that signs and sign structures are designed, constructed, installed and operated and maintained so as not to constitute a safety hazard.
5. To protect and promote the health, safety and general welfare of the Township and its residents.

Sec. 15-3. Authority.

This Chapter is enacted pursuant to Act No. 359 of the Public Acts of Michigan of 1947 (MCL 42.1 et seq., MSA 5.46(1) et seq.), as amended.

Sec. 15-4. Definitions.

For the purpose of this chapter, the following words and phrases shall have the meanings hereinafter defined:

Abandoned Sign - premises vacant or unoccupied for more than one (1) year. |

Awning/Canopy Sign shall mean a sign which is part of or located on a canopy or awning which is attached to and projects from a building wall.

Balloon sign shall mean a tethered sign consisting of an envelope inflated with pressurized or heated |

air, or a lighter-than-air gas, and displayed for the purpose of advertising or attracting attention.

Banners shall mean a sign intended to be hung either with or without a frame, possessing characters, letters, illustrations, or ornamentations applied to paper, plastic, or fabric of any kind. National flags, flags of political subdivisions, and symbolic flags of any institution or business shall not be considered banners for the purpose of this Ordinance.

Bench Sign shall mean a sign located on any part of the surface of a bench or seat placed on or adjacent to a public right of way.

Billboard sign shall mean a sign which advertises an establishment, service, merchandise, use, entertainment, activity product or message which is not conducted, sold, produced, manufactured, or furnished upon the parcel or lot on which the sign is located, and additionally shall include those signs as regulated by the state pursuant to Act No. 106 of the Public Acts of Michigan of 1972 (MCL 252.301 *et seq.*; MSA 9.391(101) *et seq.*), as amended.

Building(s) shall mean any fully enclosed structure which has a permanent roof, is not a temporary structure, is not a pavilion, is not a pole type building, is not a building used strictly for storage purposes, and is not an amusement device.

Business center shall mean a single building containing two or more business establishments. Lodging uses with on-premise restaurants shall be included within this definition.

Business complex shall mean a land parcel containing two or more buildings, each containing one or more individual business establishments.

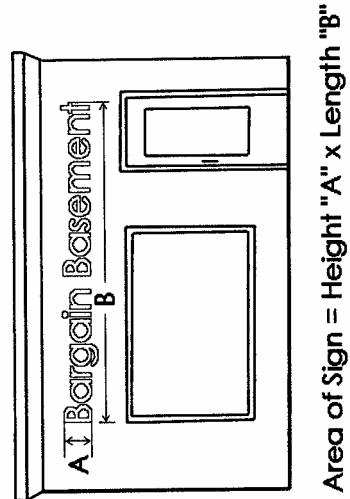
Business establishment shall mean a business operating independently of any other business on the same parcel or in the same building, separated from other businesses by walls, and with one or more doors which provide exclusive ingress and egress to that business.

Construction sign shall mean a sign containing identifying information concerning construction activity in progress on the premises on which the sign is located, such as the name of the future occupant or business, development name, type of development, name of the developer, and names of architects, engineers, contractors and lenders involved in the construction activity.

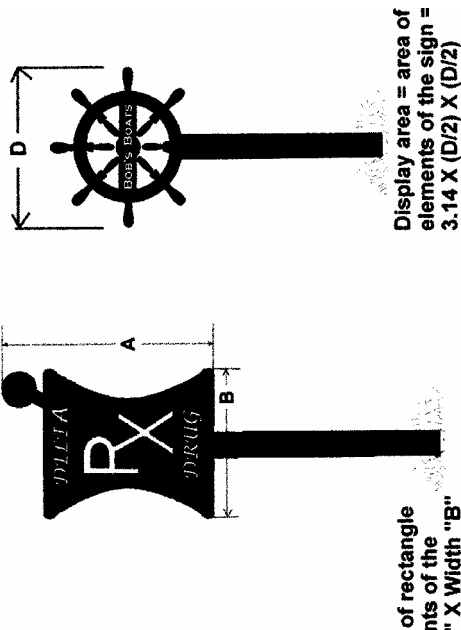
Corner locations shall mean those properties with frontage on two or more public streets.

Directional sign, on-premise shall mean a sign whose primary purpose is to direct the movement or parking of vehicles within the premises. Examples of signs which are included in this definition include directional signs at driveway entries from the public road, signs directing the movement of traffic within a parking area or driveway, signs identifying barrier-free parking spaces, signs identifying rear access doors in a multi-business establishment, signs prohibiting parking in loading areas or signs identifying loading dock names or numbers at a product distribution facility.

Display area shall mean the entire area within a circle, triangle or parallelogram enclosing the extreme limits or writing, lighting, representation, emblem or any figure of similar character, together with any frame or other material forming an integral part of the display or used to differentiate the sign from the background against which it is placed; excluding the necessary supports or uprights on which such sign is placed. Where a sign has two or more faces, the area of all faces shall be included in determining the area of the sign; except that where two such faces are placed back to back and are at no point more than three feet from one another, the area of the sign shall be taken as the area of one face if the two faces are of equal area, or as the area of the larger face if the two faces area of unequal area.



- (1) *Exception 1.* The display area of signs painted directly on building wall surfaces shall be that area within the circle, triangle or parallelogram enclosing the extreme limits of writing, letters or numbers.
- (2) *Exception 2.* Time and temperature displays including clock facings shall not herein be defined as sign display area.
- (3) *Exception 3.* The area of an awning/canopy sign shall be measured as provided in the main body of this definition, and the sign shall be treated as if it were a wall sign attached to the same wall to which the awning or canopy is attached, for purposes of determining maximum



allowed sign area.

Electronic changeable message sign shall mean a sign whose informational content can be changed or altered by means of electronically-controlled electronic impulses.

Encroaching sign shall mean a sign that projects beyond the private property line into and over public right-of-way.

Expressway business shall mean a motel, hotel, service station or restaurant that lies 2,000 feet or less from an expressway on-ramp or off-ramp.

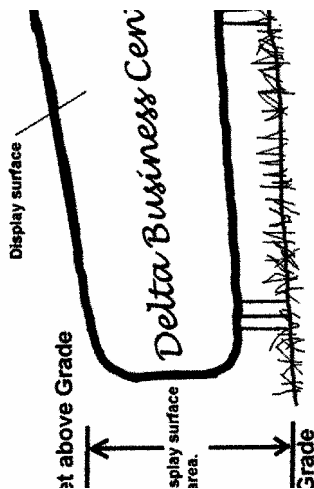
Flag, Business, shall mean a flag displaying the name, insignia, emblem, or logo or a profit making entity.

Flag, Public, shall mean a flag displaying the name, insignia, emblem, or logo of any nation, state, municipality, educational institution, civic/ religious/ fraternal organization or branch of the U.S. military.

Frontage shall mean the side of the property facing a thoroughfare.

Grading: Average grade shall be determined by measuring the horizontal distance 20 feet in all directions from the base of the sign, and then calculating the average of those measurements.

Ground sign shall mean a sign which is supported by one or more uprights in or upon the ground, where any part of the display surface is less than eight feet above the grade at the base of the sign.



Height of sign shall mean the maximum vertical distance from the uppermost extremity of a sign or sign support to the average ground level at the base of the sign.

Home occupation sign shall mean any sign used for the purpose of advertising services in conjunction with a lawful home occupation.

Identification sign shall mean a sign that identifies the name of the property owner, resident, or business on the property, with or without the street address.

Industrial Park shall mean a grouping of several industrial businesses on contiguous parcels, accessed by the same public or private street and sharing a common location identity.

Institutional sign shall mean a sign containing a surface area upon which is displayed the name of a church, school, library, museum, day care center, cemetery, community center and similar institutions and the announcement of its services or activities.

Marquee sign shall mean a sign that is attached to the underside of a marquee, or other covered structure and projecting at a right angle from and supported by a building or marquee and does not project horizontally beyond the marquee or covered structure.

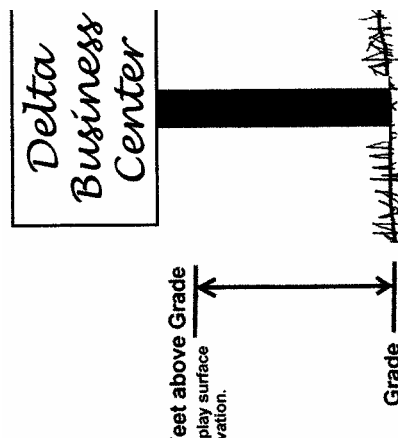
Mobile sign shall mean a sign supported on a mobile chassis other than a motor vehicle.

Nonconforming sign shall mean any sign that does not conform to the requirements of this chapter.

Off-premises sign shall mean a sign which advertises a business, product, service, event, person or subject which is not sold, produced, manufactured or furnished at the property on which said sign is located.

On-premises sign shall mean a sign that advertises a business, product, service, event, person or subject, which sign is located on the same premises as the business, product, service, event, person or subject being advertised.

Pole sign shall mean a sign having a sign face that is elevated above the ground by one or more uprights or poles, with all parts of the display surface of the sign eight (8) feet or more above the grade at the base of the sign.



Political sign shall mean a sign which contains a message or graphic related to an election conducted by a governmental entity in the Township.

Projecting sign shall mean a sign attached to and projecting perpendicularly from a building wall, excluding awning/canopy signs, as defined herein. One face only shall be used for computation of the display area of a projecting sign.

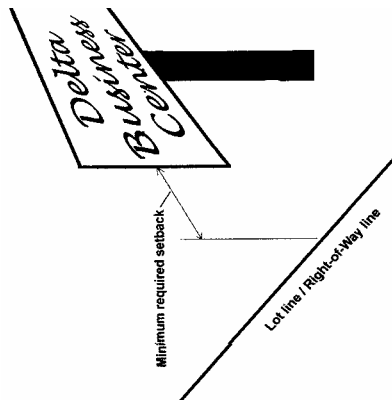
Real estate sign shall mean a sign announcing or advertising the availability of an improved or unimproved lot, parcel or building, or portion thereof, for sale, lease or rent.

Roof sign shall mean a sign that is erected, constructed and maintained upon or above the roof of a building, or parapet wall and that is wholly or partially supported by such building.

Exception. For the purpose of this definition of roof sign, a sign that is mounted on a mansard roof, roof overhang, parapet wall, above a marquee, or on a wall with a roof below, shall not be considered

as a roof sign but shall instead be considered as a wall sign for that side of the building, provided that no part of such sign extends above the uppermost building line not including chimneys, flagpoles, electrical, mechanical equipment, TV antennas and other similar equipment and extensions.

Setback, required shall mean the minimum required horizontal separation distance between a public or private road right-of-way to any part of a sign, including any above-ground portions of a sign which project beyond the point of attachment of the sign to the ground.



Signs shall mean and include every individual announcement, declaration, demonstration, display, illustration, insignia, surface or space when erected or maintained out of doors in view of the general public for identification, advertisement or promotion of the interests of any person. This definition shall include billboard signs and signs painted directly on walls of structures.

Supports and uprights shall mean those members necessary for the structural support of the sign. Decorative trim applied to such members for aesthetic purposes shall be considered as a part of the supports and uprights.

Temporary sign shall mean a sign intended to be displayed for a limited period of time, and which is not permanently attached to a building wall or to the ground.

Unified Business Development shall mean a commercial development planned as a coordinated project in accordance with an approved signage plan.

Uppermost building line shall mean uppermost horizontal line of a building formed by a roof, wall or parapet wall.

Wall sign shall mean a sign that is attached directly to a wall, mansard roof, roof overhang, parapet wall, or above a marquee of a building with the exposed face of the sign in a plane parallel to the building wall or to the surface on which it is mounted, and which projects not more than 18 inches from the building or structure wall, and which does not have any part of such sign or sign supports extending above the uppermost building line not including chimneys, flagpoles, electrical or mechanical equipment, TV antennas or any other similar equipment or extensions. This definition shall include writing, letters or numbers placed or painted directly on a building wall surface.

Window sign shall mean a sign attached to the inside or outside surface of a window on a building wall or door, or placed within six inches of the inside face of a window, and intended to be viewed from outside the building.

ARTICLE II. ADMINISTRATION AND ENFORCEMENT

Sec. 15-11. Administration

The provisions of this chapter shall be administered by the township building official or his/her designee(s), who shall have the authority to issue sign permits, without which it shall be unlawful to erect or replace any sign, whether freestanding, or mounted on, applied to or painted on a building or other structure.

Sec. 15-12. Sign permits.

(a) *Sign permit required.* No person shall erect, place, structurally alter, or add to any sign without first obtaining a permit to do so in the manner hereinafter provided.

(b) *Application procedure.* Application for a permit to erect, place, structurally alter or add to a sign shall be made to the township building official, by submission of the required forms, fees, exhibits and information by the owner of the property on which the sign is to be located, or by his agent or lessee. The application shall contain the following information:

- (1) The property owner's name and address.
- (2) The applicant's name and address.
- (3) Address and permanent parcel number of the property on which the sign is or will be located.
- (4) Identification of the type of sign (ground, pole, wall, etc.)
- (4) Name of business or name of premises to which the sign belongs or relates.
- (5) Plans drawn to an accurate, common scale, depicting the following:
 - a. Dimensions and display area of the proposed sign, based on the definition of display area contained in this chapter.
 - b. For ground signs and pole signs, the setback of the sign from the nearest public or private road right-of-way.
 - c. For ground signs and pole signs, the height of the sign.
 - d. For wall signs, the height and width of the building wall or tenant-controlled portion of building wall to which the sign will be attached.
 - e. The proposed graphic images and text to be displayed on the sign.

(c) *Scope.* Sign permits issued on the basis of plans and other information submitted as part of the permit application authorize only the design and construction set forth and described in the permit application, and no other design or construction.

(d) *Conformity with plans required.* The building official or his/her designee(s) shall not approve plans or issue sign permits for any sign which does not conform to the provisions of this chapter.

(e) *Records maintained.* The building official shall maintain a record of all sign permits issued, and such record shall be open for public inspection.

(f) *Permit fees.* An application for a sign permit shall be accompanied by payment of a fee, in an amount established by resolution of the township board of trustees.

(g) *Permit not required for sign maintenance and change of message.* Painting, re-painting, cleaning, maintenance, repair, and change of sign message or graphics shall not be considered erection or alteration of a sign which requires issuance of a sign permit, provided that no structural alterations or additions to the display area are made. Further, signs refaced with a covering, including, but not limited to, banners and/ or coverings made of fabric or other material, shall be considered temporary and permitted for a duration of only 60 days, after which the covering shall be replaced with a permanent sign face.

Sec. 15-13. Violations and penalties.

(a) Failure to comply with the provisions of this Chapter shall constitute a violation of the Code and shall be punishable as a municipal civil infraction as prescribed by Chapter 1 of the Code of Ordinances.

(b) This Chapter shall be enforced by the building official or his/her designee(s), who are hereby designated as the authorized Township Official to issue municipal civil infraction citations, directing alleged violators to appear in court, or issue municipal civil infraction violation notices, directing alleged violators to appear at the Township of Delta Municipal Violations Bureau as provided by this Code.

(c) Signs which are erected without a permit or which do not comply with provisions herein, may be removed and impounded by the building official or his/her designee(s). Signs impounded by the Township may be disposed of if not claimed and removed from the place of impoundment within seven calendar days of the impoundment.

Sec. 15-14. Nonconforming signs.

(a) It is the intent of this chapter to permit the continuance of an existing sign which was in conformance with all applicable regulations in effect prior to the effective date of this ordinance, although such sign may not conform with the provisions of this chapter.

(b) Signs installed without a sign permit shall be considered illegal and shall be either removed or made to conform to this chapter and a permit obtained.

(c) Nonconforming signs shall not be structurally changed, altered or enlarged unless such change alteration, or enlargement is made to conform to this chapter.

(d) Nonconforming signs shall not be moved in whole or in part to another location unless the sign at the new location conforms to this chapter.

Sec. 15-15. Signs on Vacant or Unoccupied Premises.

(a) Any sign located on property in the township which is vacant or unoccupied for more than one hundred and twenty (120) days, and any sign which pertains to a use or activity which has not been in existence or operation for more than one hundred and twenty (120) days on the property on which the sign is located, shall be subject to the following:

i The owner of a vacant or unoccupied sign shall remove all graphics, text copy or other business or premises identification from the subject sign. In the event the sign is an internally-illuminated sign with removable graphic display panels, the panels containing the sign graphic or message

shall be removed and replaced by a blank panel containing no graphic or message.

ii Failure to remove the sign message from a vacant or unoccupied sign shall constitute a violation of this ordinance.

ARTICLE III SIGN REGULATIONS

Sec. 15-21. General.

The regulations in this Article shall govern the type, use, size, height and number of signs permitted on any parcel of land in the township, based on the zoning district designation of the subject property, as shown on the Official Zoning Map of Delta Charter Township of 1990, as amended, adopted as part of the Delta Charter Township Zoning Ordinance of 1990, as amended.

Sec. 15-22. Exemptions.

The following signs are exempt from the provisions of this chapter and from the permit requirements:

- (1) Signs no greater than two (2) square feet in area posted on property boundaries in the NR, A-1 and A-2 zoning districts, for purposes of conveying a non-commercial message, such as prohibition on hunting or trespassing.
 - (2) Signs located in the interior of buildings, with the exception of window signs.
 - (3) Window signs, provided that the maximum size of any window sign shall not exceed twenty-five percent (25%) of the area of the window on which it is displayed. Painted messages, text, graphics, posters, balloons, paper advertisements and similar items affixed to the window shall constitute a window sign.
 - (4) Any identification, address, or for sale sign affixed to a wall, mailbox, post, lamppost, or pillar, and which is not larger than two (2) square feet in display surface.
 - (5) Traffic control or other municipal signs such as, but not limited to, directional signs placed in rights-of-way, legal notices, railroad crossing signs, danger and other temporary emergency signs.
 - (6) Memorial signs or tablets, names of buildings and dates of erection when cut into any masonry surface or when constructed of bronze or other non-combustible material.
 - (7) Business and Public flags. However, business flags shall be limited to the display of no more than two (2) flags on the premises.
 - (8) On-premises directional signs, subject to the following limitations:
 - (a) In districts other than the industrial zoning district, the maximum size of an on-premise directional sign shall be four (4) square feet in area.
 - (b) In the I-1 and I-2 zoning districts, the maximum size of an on-premises directional sign shall be twelve (12) square feet in area.
- An exception to the foregoing limitation shall be as follows: an industrial facility located within an I-1 or I-2 zoning district, which encompasses 200 acres or greater in area, and which is a campus style complex with three (3) or more fully enclosed buildings, each of which being shown to be essential to the functioning of the complex as a whole. For persons meeting this criteria, the maximum size of an

on-premise directional sign shall be 12 square feet in area, but an exception shall be made to permit multiple signs which are 12 square feet in area on the same structure, with a maximum total area of combined signs being no greater than 36 square feet, if needed, as determined in the sole discretion of the Delta Township Building Official. All on-premise directional signs which shall exceed 12 square feet in total area through multiple sign placement on the same structure must receive the approval of the Delta Township Building Official. A written site plan shall be submitted for review and approval, detailing sign location and listing specific reasons for the request. If the above stated request is denied by the Delta Township Building Official, an appeal process is available before the Delta Township Sign Board of Appeals, following the procedure set forth in Section 15-45 of the Charter Township of Delta Code of Ordinances.

- (c) On-premises directional signs shall be located a minimum of one (1) foot from the public right-of-way.
 - (d) An on-premise directional sign having a height greater than three (3) feet shall have a minimum setback from the public right-of-way of ten (10) feet.
 - (e) Multiple on-premise directional signs shall be mounted on the same structure, unless need to do otherwise can be demonstrated by applicant to create a hardship which is non-financial in nature, in order to limit the detriment to environmental aesthetics and sight obstruction.
- (9) Political signs, subject to the following limitations:
- (a) Political signs shall be removed within fourteen (14) calendar days after the election to which they pertain.
 - (b) For properties located in the RA, RB, and RC zoning districts, the maximum number of political signs which may be displayed on any premises shall be six (6) signs. The maximum size of any individual sign shall be twelve (12) square feet. The aggregate size of all political signs displayed on the premises shall be thirty (30) square feet.
 - (c) For all other uses in all zoning districts, the maximum number of political signs which may be displayed on any premises shall be six (6) signs. The maximum size of any individual sign shall be thirty-two (32) square feet. The aggregate size of all political signs displayed on the premises shall not exceed sixty-four (64) square feet.
- (10) Signs maintained by the United States of America, the State of Michigan, any agencies or political subdivisions thereof, as well as local municipalities and local governmental units.
- (11) Signage affixed to the face of a fuel pump at an auto service station, not to include appurtenances affixed to the pump.
- (12) Menu Boards for drive-in/ drive-thru businesses.

Sec. 15-23. Prohibited signs.

The following signs are prohibited in the township.

- (1) Signs which are placed within or encroach into a public right-of-way, including signs placed on utility poles, traffic control signs, structures or devices. A sign which is unlawfully placed within a public right-of-way may be removed and impounded by the Building Official or his authorized designees.
- (2) Roof signs, as defined herein.
- (3) Any sign which, by reason of its size, location, content, coloring or manner of illumination constitutes a traffic hazard or a detriment to traffic safety, by obstructing the vision of drivers, or by obstructing or detracting from the visibility of any traffic control device on public streets and roads.
- (4) Signs which include display of such words as "Stop," "Look," "Danger" or any other words, phrases, symbols or characters, in such a manner as to interfere with, mislead or confuse traffic.
- (5) Signs and sign structures that are no longer in use as originally intended or have been abandoned, or that are structurally unsafe, constitute a hazard to safety and health, or that are not kept in good repair.
- (6) Any sign which obstructs free ingress to or egress from a required door, window, fire escape or other required exitway.
- (7) Any sign or other advertising structure containing any obscene, indecent or illegal matter.
- (8) Any sign unlawfully installed, erected or maintained.
- (9) Signs having flashing, blinking or running type lights are prohibited, or signs that use running-type lighting for informational change of copy.
- (10) Display or parking of a motor vehicle or trailer upon a lot or premises in a location visible from a public right-of-way, for the primary purpose of displaying a sign attached to, painted on or placed on the vehicle or trailer, with the exception of vehicles used regularly in the course of conducting the principal use located on the premises.
- (11) Use of pennants, string lights, ribbons, or other such features which are hung or strung across any property, and which are not an integral, physical part of a building or other permanent structure on the property.
- (12) Balloon signs.
- (13) Signs having any visible portion either in motion or having the appearance of being in motion, whether on a continuous basis or at intervals, and regardless of whether

the motion or appearance of motion is caused by natural or artificial sources, with the exception of electronic changeable message signs.

- (14) Any sign installed prior to enactment of this chapter without a sign permit, when in fact such prior ordinance did require a sign permit.
- (15) Off-premise signs, except for billboard signs as permitted in the Limited Industrial (I1) and General Industrial (I2) districts.
- (16) Billboard signs used for on-premise advertising are prohibited.
- (17) Bench Signs.
- (18) Home Occupation Signs.
- (19) Signs are not permitted on parcels less than 25 feet in any direction.

Sec. 15-25. Signs permitted in Natural Resources (NR), Agricultural (A-1), Agricultural/Residential (A-2), and Residential (RA, RB, RC, RD and RE) districts.

In the NR, A-1, A-2, RA, RB, RC, RD and RE districts, the requirements of Schedule A shall govern sign use, area, type, height, and numbers, in addition to requirements elsewhere in this chapter.

Schedule A

Use	Sign Type	Maximum Number of Signs	Maximum Display Area (Square Feet)	Maximum Height Above Grade (Feet)	Location Standards
Institutional and Public Facilities	Wall Sign or Awning/Canopy Sign	No Maximum	10% of area of wall to which sign is attached (See Fig. 6) Maximum of 2 walls	Below uppermost building line	Minimum 10 Ft. setback required for any ground sign over 3 Ft. in height. Where 2 signs per street entrance are used, the signs shall be of identical size, design and materials.
	Ground Sign	1 located adjacent to each street frontage	40 Sq. Ft.	8 Ft.	
Farm Enterprises	Ground Sign	1 per farm enterprise	32 Sq. Ft.	8 Ft.	Where 2 signs per street entrance are used, the signs shall be of identical size, design and materials.
Residential Development, including plat, condominium, apartment or mobile home park development.	Ground Sign	1 on each side of each street entrance.	20 Sq. Ft. per sign, with maximum of 1 display face per sign.	8 Ft.	
Single or Two-Family Dwelling	Ground Sign	1 per dwelling	3 sq. Ft.	5 ft.	Minimum 10 Ft. setback required for any ground sign over 3 Ft. in height.

Sec. 15-26. Signs permitted in Office (O) district.

In the O district, the requirements of Schedule B shall govern sign use, area, type, height, and numbers, in addition to requirements elsewhere in this chapter.

Schedule B

Use	Sign Type	Maximum Number of Signs	Maximum Display Area (Square Feet)	Maximum Height (Feet)	Location Standards
Individual building containing one (1) business establishment, and individual buildings located within a business complex.	Wall Sign or Awning/Canopy Sign	No maximum	Total area of all wall signs attached to any wall may not exceed 15% of the area of the wall. (See Fig. 6) Maximum of 2 walls	Below uppermost building line	
	Ground Sign	1	40 Sq. Ft.	8 Ft.	Minimum 10 Ft. setback required for any ground sign over 3 Ft. in height. A ground sign identifying a building within a business complex shall be located within 100 feet of the building it identifies, or on the same parcel as the building it identifies.
Business Center	Wall Sign or Awning/Canopy Sign	No maximum	Total area of all wall signs attached to any wall may not exceed 15% of the area of the wall. (See Fig. 6) Maximum of 2 walls	Below uppermost building line	
	Pole Sign or Ground Sign	1	60 Sq. ft.	Pole Sign: 20 Ft. Ground Sign: 8 Ft.	May not encroach on or over right-of-way. Minimum 10 Ft. setback required for any ground sign over 3 Ft. in height.
Business Complex	Pole Sign or Ground Sign	1 per driveway access	60 Sq. Ft.	Pole Sign: 20 Ft.	May not encroach on or over right-of-way.
				Ground Sign: 8 Ft.	Minimum 10 Ft. setback required for any ground sign over 3 Ft. in height.
Expressway Business	Wall Sign, Awning/Canopy Sign or Projecting Sign	No maximum	Total area of all wall signs and projecting signs attached to any wall may not exceed 15% of the area of the wall. (See Fig. 6) Maximum of 2 walls	Below uppermost building line.	Projecting sign may extend a maximum of 5 feet from wall of building, with a minimum clearance above grade of 8 feet.
	Pole Sign or Ground Sign	1	75 Sq. Ft.	Pole Sign: 30 Ft.	May not encroach on or over right-of-way.
				Ground Sign: 8 Ft.	May not encroach on or over right-of-way. Minimum 10 Ft. setback required for any ground sign over 3 Ft. in height.
	Pole Sign	1	6 Sq. Ft. for each foot of sign height, up to a maximum of 300 Sq. Ft.	90 Ft.	Minimum height above grade of 60 feet. May not encroach on or over right-of-way.
	Marquee Sign	1	6 Sq. Ft.	Underside of building overhang or eave.	May not project further from building than eave overhang.

Sec. 15-27. Signs permitted in Local Service Commercial (B-1) and Community Commercial (B-2) districts.

In the B-1 and B-2 districts, the requirements of Schedule C shall govern sign use, area, type, height, and numbers, in addition to requirements elsewhere in this chapter.

Schedule C

Use	Sign Type	Maximum Number of Signs	Maximum Display Area (Square Feet)	Maximum Height (Feet)	Location Standards
Individual building containing one(1) business establishment, including auto service stations	Wall Sign, Awning/ Canopy Sign or Projecting Sign	No maximum	Total area of all wall signs and projecting signs attached to any wall may not exceed 15% of the area of the wall. (See Fig. 6) Maximum of 2 walls	Below uppermost building line	Projecting sign may extend a maximum of 5 feet from wall of building, with a minimum clearance above grade of 8 feet.
	Pole Sign or Ground Sign	1 located adjacent to each street frontage	75 Sq. Ft. per sign	Pole Sign: 30 Ft.	May not encroach on or over right-of-way.
				Ground Sign: 8 Ft.	Minimum 10 Ft. setback required for any ground sign over 3 ft. in height.
	Marquee Sign	1	6 Sq. Ft.	Underside of building overhang or eave	May not project further from building than eave overhang.
Business Center	Wall Sign, Awning/ Canopy Sign or Projecting Sign	No maximum	Total area of all wall signs and projecting signs attached to any wall may not exceed 15% of the area of the wall. (See Fig. 6) Maximum of 2 walls	Below the uppermost building line	Projecting sign may extend a maximum of 5 feet from wall of building, with a maximum
	Pole Sign or Ground Sign	1 located adjacent to each street frontage	Pole: 100 sq. ft. per sign, or 1 sq. ft. for each 1 ft. of building wall length facing the street frontage, whichever is greater, up to a maximum of 300 Sq. ft. Ground Sign: Maximum 150 Sq. Ft.	Pole: 30 Ft.	May not encroach on or over right-of-way.
				Ground Sign	May not encroach on or over right-of-way. Minimum 10 Ft. setback required for any ground sign over 3 Ft. in height.
	Marquee Sign	1 per business establishment	6 Sq. Ft. per sign	Underside of building overhang	May not project further from building than eave overhang
Business Complex	Pole or Ground Sign	1 located adjacent to each street frontage	Pole: 100 sq. ft. per sign or 1 sq. ft. of building wall length facing the street frontage, whichever is greater up to a maximum of 300 sq. ft.	Pole: 30 ft.	Pole: May not encroach on or over the right-of-way.
			Ground: 150 sq. ft.	Ground: 8 ft.	Minimum 10 ft. setback required for signs over 3 ft. in height

	Wall Sign Awning/ Canopy Sign or Projecting Sign	No maximum	Total area of all wall signs and projecting signs attached to any wall may not exceed 15% of the area of the wall. (See Fig. 6) Maximum of 2 walls	Below uppermost building line.	Projecting sign may extend a maximum of 5 feet from wall of building, with a minimum clearance above grade of 8 feet.
	Marquee Sign	1 per business establishment	6 sq. ft. per sign	Underside of building overhang.	May not project further from building than eave overhang.
Auto Sales	Wall Sign, Awning/ Canopy Sign or Projecting Sign	No maximum	Total area of all wall signs and projecting signs attached to any wall may not exceed 15 % of the area of the wall. (See Fig. 6) Maximum of 2 walls	Below uppermost building line	Projecting sign may extend a maximum of 5 feet from wall of building, with a minimum clearance above grade of 8 feet.
	Pole or Ground Sign	1 for new vehicle sales use, and 1 for used vehicle sales use	75 Sq. Ft. per sign	Pole Sign: 30 Ft. Ground Sign: 8 Ft.	May not encroach on or over right-of-way. Minimum 10 ft. setback required for any ground sign over 3 ft. in height.
Expressway Business	Wall Sign, Awning/ Canopy Sign or Projecting Sign	No maximum	Total area of all wall signs and projecting signs attached to any wall may not exceed 15% of the area of the wall. Maximum of 2 walls	Below uppermost building line	Projecting sign may extend a maximum of 5 feet from wall of building, with a minimum clearance above grade of 8 feet.
	Pole or Ground Sign	1	75 Sq. Ft. per sign.	Pole: 30 Ft. Ground: 8 Ft.	May not encroach on or over right-of-way. Minimum 10 ft. setback required for any ground sign over 3 ft. in height.
	Pole Sign	1	6 Sq. Ft. for each foot of sign height up to a maximum of 300 square feet.	90 Ft.	
	Marquee Sign	1	6 Sq. Ft.	Underside of building overhang or eave	

Sec. 15-28. Signs permitted in Limited Industrial (I1) and General Industrial (I2) districts.

In the I1 and I2 districts, the requirements of Schedule D shall govern sign use, area, type, height, and numbers, in addition to requirements elsewhere in this chapter.

Schedule D

Use	Sign Type	Maximum Number of Signs	Maximum Display Area (Square Feet)	Maximum Height	Location Standards
Individual industrial building	Wall Sign or Awning/Canopy Sign	No maximum	Total area of all wall signs attached to any wall may not exceed 15% of the area of the wall. (See Fig. 6) Maximum of 2 walls	Below uppermost building line.	
	Pole Sign or Ground Sign	1	Pole sign: 100 Sq. Ft., or 1 Sq. Ft. for each 1 Ft. of building wall length facing the street frontage, whichever is greater, up to a maximum of 300 Sq. Ft. Ground sign: 75 sq. Ft.	Pole Sign: 30 Ft.	May not encroach on or over right-of-way.
				Ground Sign: 8 Ft.	May not encroach on or over right-of-way. Minimum 10 Ft. setback required for any ground sign over 3 Ft. in height.
Industrial park	Pole Sign or Ground Sign	1 sign per driveway access	Pole sign: 100 Sq. Ft., or 1 Sq. Ft. for each 1 Ft. of building wall length facing the street frontage, whichever is greater, up to a maximum of 300 Sq. Ft. Ground sign: 75 sq. Ft.	Pole Sign: 30 Ft.	May not encroach on or over right-of-way.
				Ground Sign: 8 Ft.	May not encroach on or over right-of-way. Minimum 10 Ft. setback required for any ground sign over 3 Ft. in height.
Any parcel	Billboard Sign	Minimum spacing of 1,500 Ft. between billboard signs on the same side of a public road.	672 Sq. Ft., if located on a parcel adjoining a limited access freeway right-of-way. 300 Sq. Ft., if not located on a parcel adjoining a limited access freeway right-of-way.	30 Ft.	Minimum setback of 75 Ft. from a public right-of-way, except that no setback is required from a limited access state highway right-of-way. 500 Ft. from property boundary of a residential district or use, or from property boundary of a place of worship, a public park, or a public or private elementary or secondary school.

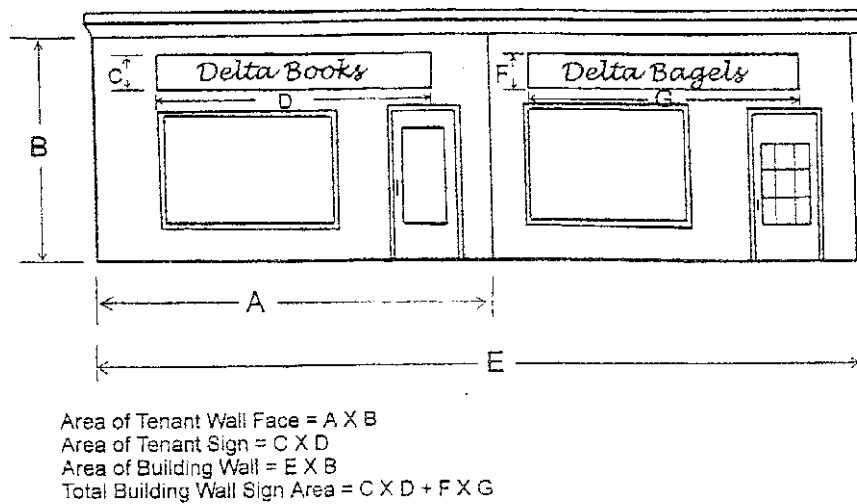


Figure 6 - Illustration, Measurement of Maximum Display Area of Wall Signs.

Sec. 15-29. Temporary signs.

(a) *Permit Required.* A temporary sign shall not be placed on any lot, parcel or premises, with the exception of single-family, two-family and multiple family residential uses, unless a permit authorizing such temporary sign has been issued by the building official or his/her designee(s).

(b) *Required Application Contents.* Application for a permit to display a temporary sign shall be made to the building official or his/her designee(s), by submission of the required forms, fees, exhibits and information by the owner of the property on which the sign is to be located, or by his agent or lessee. The application shall contain the following information:

- (1) The name, mailing address and telephone number of the property owner, business owner and applicant for the permit.
- (2) Identification of the street address and parcel number of the parcel on which the sign is to be placed.
- (3) A site plan, drawn to scale, accurately identifying the location of the proposed temporary sign on the subject property.
- (4) A scaled drawing which accurately depicts the dimensions and display area of the proposed sign.
- (5) A non-refundable application fee, in an amount established by resolution of the Township Board.
- (6) If the temporary sign is a mobile sign, a refundable deposit in the amount of one hundred and fifty dollars (\$150.00) shall be submitted, to financially guarantee conformance with the provisions contained herein, including removal of the sign on or before the permit expiration date.

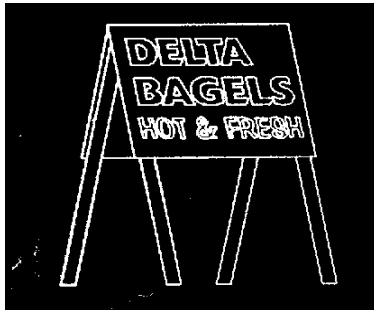
(c) *Standards for Display of Temporary Signs.* The display of temporary signs, including banners shall conform with the provisions of Schedule E, herein. In addition, the following standards shall apply to display of temporary signs for all non-residential uses, in all zoning districts:

- (1) A maximum of three (3) permits authorizing display of a temporary sign for fifteen (15) consecutive days shall be issued in any calendar year for any individual business premises.
- (2) The beginning of the display period for a temporary sign shall not be more than fourteen (14) calendar days from the date of the issuance of the permit.
- (3) Mobile signs shall be subject to the following additional standards:
 - a. Illuminated mobile signs shall be installed in conformance with all State and Township electrical codes. No flashing or moving lights shall be used on any mobile sign.
 - b. All mobile signs and components shall be firmly anchored to the ground in a manner which ensures that the sign will not constitute a safety hazard in the event of high winds, as determined by the Building Official.
 - c. A temporary sign for which a permit has been issued pursuant to this Section and which is placed or displayed in violation of this ordinance may be impounded by the Township. Any costs associated with the removal and impoundment of the sign by the Township shall be deducted from the deposit made at the time of application for the temporary sign permit. Upon removal and impoundment of a mobile sign, the Township shall notify the sign owner and/or permit applicant of the Township's intent to dispose of the sign if it is not claimed and removed from the Township's place of impoundment within five (5) business days from the date of the notice. If the sign is not claimed and removed upon the expiration of five (5) business days from the date of such notice, the Township may dispose of the sign in any manner it deems appropriate.
- (4) Temporary signs, other than mobile signs, including banners, shall comply with the following regulations:
 1. There shall not be more than one temporary sign displayed per business on a property at any one time.
 2. A temporary sign over 3 feet in height above grade, shall be setback a minimum of 10 feet from any right of way line.

Temporary Signage



BANNER SIGN



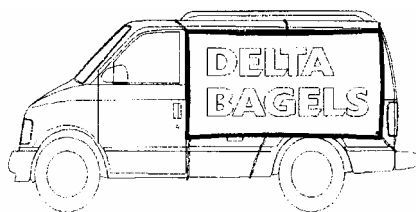
A FRAME SIGN



GROUND FRAME SIGN



TEMPORARY MOBILE SIGN



VEHICLE OR TRAILER SIGN

Sec. 15-30. Permitted Temporary Signs

Schedule E

Permitted Temporary Signs

Use	Permit Required?	Sign Type	Maximum Number of Signs	Maximum Display Area (Square Feet)	Maximum Height Above Grade	Maximum Display Duration	Location Standards
Single-Family and 2-Family Subdivisions and Condominiums in All Districts	No	Construction Sign	1 per development	32 Sq. Ft.	8 Ft.	Until 90% of the lots are sold, up to a maximum of 2 years.	May not encroach on or over right-of-way. Minimum 10 Ft. setback required for any ground sign over 3 Ft. in height.
	No	Real Estate Sign	1 per lot/parcel	6 Sq. Ft.	8Ft	5 days after purpose sign is fulfilled.	
Single and Two-Family Residential Uses in All Districts	No	Ground Sign	No Maximum	Total area of all signs may not exceed 12 square feet.	5 Ft.	7 days.	
Multiple-Family Residential Use in RC, RD and RE Districts.	No	Construction Sign	1 per development	32 Sq. Ft.	8 Ft.	Upon occupancy of any portion of the development.	
	No	Real Estate Sign	1 per development	10 Sq. Ft.	5 Ft.	5 days after purpose of sign is fulfilled.	
Non-residential uses in all Districts.	No	Real Estate Sign	1 per lot or parcel	32 Sq. Ft.	8 Ft.	5 days after purpose of sign is fulfilled.	
	No	Construction Sign	1 per lot or parcel	32 Sq. Ft.	8 Ft.	Upon occupancy of any part of the premises.	
	Yes	Mobile Sign	1 per premises, of either type.	Mobile: 32 Sq. Ft.	Mobile: 8 Ft.	See Sec. 15-29	
	Yes	Other Temporary Sign		Other: 24 Sq. Ft.	Other: Below Roof Line		

Sec. 15-31. Wind load.

Signs and sign structures shall be designed and constructed to resist wind forces of not less than twenty (20) pounds per square foot on signs up to sixty (60) feet in height and not less than thirty (30) pounds per square foot for signs over sixty (60) feet in height.

Sec. 15-32. Bracing.

All bracing systems for signs shall be designed and constructed to transfer lateral forces to the foundation. For signs on buildings all loads shall be transmitted through the structural frame of the building to the ground in such manner as to not overstress any of the elements thereof. Uplift due to overturning shall be adequately resisted by proper anchorage to the ground or the structural frame of the building.

Sec. 15-33. Anchorage.

Signs attached to masonry, concrete or steel shall be safely and securely fastened thereto by means of metal anchors, bolts or approved expansion screws of sufficient size and anchorage to safely support the loads applied.

Sec. 15-34. Electrical.

All permanent or temporary electrical installations shall comply with the current electrical code of the Township.

Sec. 15-35. Display of street address of premises on signs.

The street address number shall be displayed on the primary freestanding identification sign for each premises on land located in an Office (O), Local Service Commercial (B-1), Community Commercial (B-2), Light Industrial (I-1) or General Industrial (I-2) district, as shown on the Delta Charter Township Zoning Map. Display of street address numbers shall conform with the following standards:

- (1) Address numbers shall be displayed on the sign face or on the supporting structure of the sign, at a minimum height of two (2) feet above grade.
- (2) The height of the numbers shall be a minimum of four (4) inches.
- (3) The street address number shall be displayed using arabic numerals, in a readily-legible text style, and in a contrasting color from the background surface on which the number is placed.
- (4) If the premises which are identified by a primary freestanding identification sign contains more than one street address number, the street address number displayed on the sign shall identify the lower and upper ends of the address range to which the sign pertains.
- (5) Display of street address numbers on a sign structure shall not be considered a sign subject to the regulations contained in Schedules B through E of this Article, unless the height of the address numbers exceeds eight (8) inches, in which case the street address number shall be considered a sign, subject to the limitations on size and number of signs contained in this chapter.

Sec. 15-36. Certification of compliance.

Construction plans and specifications for any sign greater than thirty (30) feet in height shall be prepared and sealed by a professional engineer, licensed in the state of Michigan. The building official may require that construction plans and specifications for signs less than thirty (30) feet in height be prepared and sealed by a

professional engineer registered in the state of Michigan.

ARTICLE IV. SIGN BOARD OF APPEALS

Sec. 15-41. Established

A township sign board of appeals is hereby established.

Sec. 15-42. Membership.

The township sign board of appeals shall consist of seven members: a member of the township planning commission, a member of the township board appointed by the township board, with terms of service concurrent with service on the planning commission as assigned by the Planning Commission and on the township board, and five additional members appointed by the township board from among electors residing within the township, with terms not exceeding three years each.

Sec. 15-43. Appeals authorized.

(a) Any person allegedly aggrieved by a decision of the township building official relative to the placement, area, height and construction of a sign may appeal such decision to the township sign board of appeals. Such appeal shall be taken in the office of the building official.

(b) Whenever the strict application of requirements of this chapter may pose demonstrable hardship or practical difficulty with regard to placement, area, height and construction of a sign, an appeal for variance from such requirements may be filed with the building official on a form provided for such purpose.

(c) The building official or his/her designee(s) shall then place the appeal on a regular meeting agenda of the board of appeals within forty-five (45) days of filing.

(d) Within ninety (90) days of receipt, the board of appeals shall render a final decision in accordance with the provisions of this chapter.

(e) Any decision of the board shall not become final until the expiration of five (5) township business days from the date of the decision, unless the board finds that immediate effect is necessary to preserve a substantial property right, and so certifies in the record of the decision.

Sec. 15-44. Fees.

Any person filing an appeal with the township sign board of appeals shall fill out the necessary appeal form provided by the building official or his/her designee(s) and shall pay a filing fee, as established by resolution of the township board.

Sec. 15-45. Appeal procedure.

(a) The building official or his/her designee(s) shall give due notice of all hearings to all owners of record of real property within three hundred (300) feet of the premises in question; such notice shall be delivered by first class mail addressed to the respective owners at the address given in the last

assessment roll.

(b) All persons appealing shall be required to appear in person or to be represented by a duly authorized agent.

(c) The board of appeals shall prepare an official record for each appeal and shall base its decision on this record. The official record shall include:

(1) The relevant administrative records and administrative orders issued herein relating to the appeal.

(2) The appeal form.

(3) The requisite written findings of fact, the conditions attached, the decisions and orders by the board of appeals in disposing of the appeal, signed by the chairman of the board.

(d) The appellant shall be prepared to furnish a site drawing, photograph, and any other means of proof, to the Sign Board of Appeals to demonstrate that a hardship or practical difficulty exists.

Sec. 15-46. Action of Board of Appeals.

The concurring vote of a majority of the members of the Sign Board of Appeals appointed and serving shall be necessary to revise any order, requirement, decision or determination of the building official or his/her designee(s), zoning administrator or any other Township official or agency; or decide in favor of the applicant any matter upon which they are required to pass or to effect any variance of the Ordinance.

Sec. 15-47. Decisions of the Sign Board of Appeals.

- a) The Sign Board of Appeals shall have the authority to grant variances from the provisions of this ordinance.
- b) A variance shall not be granted unless the Sign Board of Appeals determines that each of the following criteria and/or standards have been affirmatively satisfied:
 - 1) Where there are practical difficulties or unnecessary hardships that will exist if the variance is not granted. The appellant must demonstrate that the alleged practical difficulty or hardship, or both, are exceptional and peculiar to the appellant's situation and result from conditions which do not generally exist throughout the township.
 - 2) The fact that other larger signs constructed under prior sign ordinances exist in the area shall not be sufficient reason to declare practical difficulty or unnecessary hardship.
 - 3) The Sign Board of Appeals shall not grant a variance if it is determined that the practical difficulty or hardship is self-created.
 - 4) The terms "practical difficulties" and "hardships" shall relate to the use of a particular parcel of land. And "practical difficulty" or "hardship" shall not be deemed solely economic, as in relating to the cost of the sign, the size of the sign, or to the fact that the sign has already been constructed. The fact that the sign is only

available in a standardized size and/ or material (example: franchised business signs) shall not constitute a “practical difficulty” or “hardship.”

- 5) The practical difficulty or hardship which is alleged to result from a failure to grant the variance, must include substantially more than mere inconvenience or the mere inability to attain a higher financial return.
- 6) It must be demonstrated by the appellant that granting the variance will result in substantial justice being done, while consideration is given to the impacts on the public health, safety, and welfare.
- 7) The granting of the variance shall not impose a negative impact on the rights of others.

(c) The Sign Board of Appeals shall have jurisdiction to decide applications for appeals and interpretations filed as hereafter provided:

- 1) Where it is alleged by the appellant that there is an error in any order, requirement, permit, interpretation, decision or refusal made by the Building Official or any other Township official, body, or agency in enforcing the provisions of this Ordinance. The Sign Board of Appeals may reverse or affirm, wholly or in part, or may modify the order, requirement, permit, interpretation, decision or refusal as in its opinion ought to be done, and to that end shall have all the powers of the administrative official from whom the appeal was taken.
- 2) The Building Official or his/ her designee(s) shall have the authority to request interpretations of the provisions of this ordinance from the Sign Board of Appeals.

Section 15-48. Findings of Fact.

- a) The Sign Board of Appeals shall prepare an official record for all appeals and shall base its decision on this record.
- b) The official record for each variance must record a finding of fact or each criteria and/ or standard in Section 15-47 (b).

Section 15-49. Limitations on the Powers of the Sign Board of Appeals

- a) The Sign Board of Appeals shall not take any action which results, in effect, in a legislative change to the terms of this chapter.
- b) The Sign Board of Appeals shall not have the authority to add to the types of signs permitted on any premises.

Sec. 15-50. Review by circuit court.

Any party aggrieved by a final decision of the board of appeals may obtain a review thereof both on the facts and the law, in Eaton County Circuit Court.

ARTICLE V. UNIFIED BUSINESS DEVELOPMENT

Sec. 15-61 Purpose and Intent

It is the intent of the Unified Business Development regulations to allow flexibility in signage under a unified plan. The regulations are intended to result in a comprehensive

signage plan which results in less signage overall than would typically result.

Sec. 15-62 Eligibility Requirements

- (a) In order to qualify for UBD designation, the subject parcel(s) must consist of a minimum of ten (10) acres.
- (b) All property owners within a UBD shall sign the UBD application thereby consenting to compliance with the UBD regulations.
- (c) Properties must be commercially zoned in order to qualify for UBD designation.

Sec. 15-63 Processing a UBD Application

The processing of a UBD shall be as follows:

- (a) Submittal of an application as provided by the Building Department. A fee shall be paid as established by a resolution of the Delta Township Board of Trustees.
- (b) A site plan shall accompany the UBD application. The site plan shall include:
 - (1) A legal description of the site, dimensions of site boundary lines, total site area, north arrow, legend, graphic scale and title block containing the project name.
 - (2) Location of buildings, structures, streets, parking lots, driveways, landscaped areas and easements proposed or existing on the property.
- (c) A Signage Plan shall accompany the UBD application. The signage plan shall include the following:
 - (1) Computation of the maximum total sign area, the maximum area for individual signs, and the number of freestanding signs, both existing and proposed, on the property.
 - (2) An accurate indication on the site plan of the proposed location of all signs.
 - (3) An indication of sign materials, colors, height, size and illumination.
- (d) The staffs of the Planning and Building Departments shall prepare a written analysis of the proposed UBD site plan and signage plan.

- (e) The site plan, signage plan and staff analyses shall be forwarded to the Planning Commission who shall review the documents and make a recommendation to the Sign Board of Appeals regarding the UBD request. The Planning Commission shall recommend approval, approval with conditions, or denial of the UBD. The Planning Commission recommendation shall be forwarded to the Sign Board of Appeals.
- (f) The Sign Board of Appeals shall review the site plan, signage plan, staff analyses and Planning Commission recommendation when considering a UBD request. The Sign Board of Appeals shall have final authority as to whether a UBD designation shall be granted.

Sec. 15-64 UBD Criteria

When reviewing the proposed UBD site plan and signage plan, the Planning Commission and Sign Board of Appeals shall apply the following criteria to determine its acceptance:

- (a) The UBD shall include the following elements:
 - (1) The proposed signage shall not be contrary to the public interest or to the purpose of the sign ordinance.
 - (2) The UBD shall not cause a substantial adverse effect upon properties in the immediate vicinity of the subject parcel.
 - (3) The signage plan shall provide common name identification to the public.
 - (4) Shared access to parking and shared driveways within the development.
 - (5) Shared signage shall be provided including the identification of the common name of the development.
 - (6) The physical layout of the project shall result in a cohesive and unified development. However, the development may include outparcels for lease or for sale, which may be intersected by public streets.
 - (7) The area proposed for the UBD shall not be a combination of individual parcels, solely assembled for the purposes of creating the UBD.
 - (8) Signs shall be organized such that visual clutter is reduced and signs are integrated with other elements of the property such as architecture and landscaping.
 - (9) Signs shall be designed and constructed in a manner which allows pedestrians and motorists to identify, interpret and respond in an efficient and safe manner to information contained on the signs.

- (10) The primary purpose of signs within the UBD shall be for identification rather than advertising.

Sec. 15-65. Jurisdiction of the Sign Board of Appeals Regarding UBD's

The Sign Board of Appeals shall have the authority to waive the following provisions of the Sign Ordinance:

- (a) Off-premise signs, not to include signs placed in public rights of way, may be permitted.
- (b) The Maximum Display Area and Maximum Height of permitted individual signs may be increased by a maximum of 25%.
- (c) Properties may be permitted to have an individual commercial sign in addition to being permitted on a business center sign.

Sec. 15-66. Restrictions on Signage Within a UBD

The following requirements shall apply to all signs with a UBD:

- (a) The total sign area permitted for all signs within a UBD shall not exceed 75% of the sign area permitted under the Sign Ordinance regulations.
- (b) Mobile temporary signs, as defined herein, shall not be permitted on properties for which a UBD has been approved.
- (c) Within the area of the UBD, spacing between Business Center signs shall be a minimum of 500 feet.

Sec. 15-67. Amendments

A UBD signage plan may be amended by filing a new Site Plan and Signage Plan along with an application and fee with the Building Department. The plan shall be submitted to the Planning Commission and Sign Board of Appeals and the criteria in Sections 15-64, 15-65 and 15-66 applied.

Sec. 15-68 Existing Signs

If a UBD application is filed for a property on which existing signs are located, the signage plan shall include a schedule for bringing into conformance, no later than three years from the date of the Sign Board of Appeals approval of the UBD, all signs not conforming to the UBD signage plan.

Sec. 15-69 Binding Effect

- (a) Following approval of the Signage Plan for the UBD, no sign shall be erected, placed, painted, or maintained, except in conformance with the approved plan.

Normal maintenance and repair of signs shall not be subject to the Signage Plan for the UBD.

- (b) The signage plan for the UBD shall be enforced in the same way as any provision of this ordinance.
- (c) The UBD signage plan shall be binding on the property owners and their successors, assigns, tenants, and subtenants. A copy of the UBD signage plan shall be filed at the Township Clerk's office.
- (d) The existence of a UBD shall be noted in all leases pertaining to properties on which a UBD has been granted by the Sign Board of Appeals. A deed restriction, acknowledging the existence of a UBD on the subject parcel shall be recorded at the Eaton County Register of Deeds Office and said restriction shall be binding on the property owners and their successors, assigns, tenants and subtenants. In addition, any sale of property on which a UBD has been granted shall include a disclosure regarding the UBD on the property.